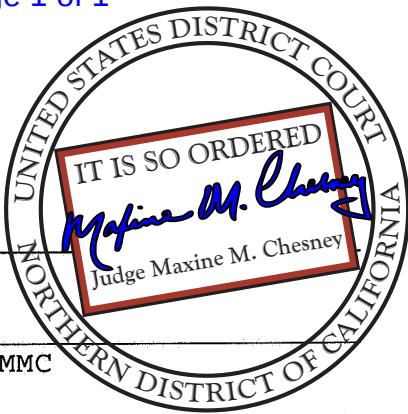


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 510-763-2000

Dated: February 23, 2007



UNITED STATES DISTRICT COURT
Northern DISTRICT OF CALIFORNIA

K.C., by and through Erica C., her
 guardian, et al.

CASE NUMBER: C-05-4077 MMC

v.

Plaintiff(s)

JACK O'CONNELL, in his official capacity
 as Superintendent of Public Schools For
 the State of California, et al.

Defendant(s)

NOTICE OF DISMISSAL BY PLAINTIFF
Rule 41(a)(1) F.R.Civ.P.

PLEASE TAKE NOTICE:

The above-entitled action is
or
 Defendant(s) Ruth E. Green, Glee Johnson, Alan Bersin, Ruth Bloom, Yvonne Chan, Donald G. Fisher, Kenneth Noonan, Joe Nunez, Bonnie Reiss and Jonathan Williams, each in his or her official capacity as a member of the State Board of Education of the State of California

are

hereby dismissed by the plaintiff(s), pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.

Dated: February 21, 2007/s/

Plaintiff / Attorney for Plaintiff
 Kenneth J. Philpot

THIS NOTICE MAY BE FILED AT ANY TIME BEFORE SERVICE
 BY THE ADVERSE PARTY OF AN ANSWER OR OF A MOTION
 FOR SUMMARY JUDGMENT, WHICHEVER FIRST OCCURS.

NOTICE OF DISMISSAL BY PLAINTIFF
(Rule 41(a)(1), F.R.Civ.P.)